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Commission on the Status of Women
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Follow-up to the Fourth World Conference on Women and to the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century": gender mainstreaming, situations and programmatic matters

Azerbaijan,* Belarus, Georgia and Turkey*: draft resolution

Release of women and children taken hostage, including those subsequently imprisoned, in armed conflicts

The Commission on the Status of Women,

Guided by the purposes, principles and provisions of the Charter of the United Nations,

Guided also by the principles and norms of international humanitarian law, in particular the Geneva Conventions of 12 August 1949[1] and the Additional Protocols thereto of 1977,[2] as well as relevant international standards of human rights, in particular the Universal Declaration of Human Rights,[3] the International Covenant on Economic, Social and Cultural Rights,[4] the International Covenant on Civil and Political Rights,[4] the Convention on the Elimination of All Forms of Discrimination against Women,[5] the Convention on the Rights of the Child,[6] the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[7] and the Vienna Declaration and Programme of Action, adopted on 25 June 1993 by the World Conference on Human Rights,[8]

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* In accordance with rule 69 of the rules of procedure of the functional commissions of the Economic and Social Council.

[1] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

[2] Ibid., vol. 1125, Nos. 17512 and 17513.

[3] General Assembly resolution 217 A (III).

[4] See General Assembly resolution 2200 A (XXI), annex.

[5] United Nations, *Treaty Series*, vol. 1249, No. 20378.

[6] Ibid., vol. 1577, No. 27531.

[7] Ibid., vol. 1465, No. 24841.

[8] A/CONF.157/24 (Part I), chap. III.

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Taking duly into account the International Convention for the Protection of All Persons from Enforced Disappearance, adopted by the General Assembly in its resolution 61/177 of 20 December 2006,

Recalling all its previous resolutions on the release of women and children taken hostage, including those subsequently imprisoned, in armed conflicts, as well as all resolutions of the Commission on Human Rights concerning hostage-taking and General Assembly resolution 61/172 of 19 December 2006,

Recognizing that everyone has the right to life, liberty and security of person and that the taking of hostages is an offence of grave concern to the international community,

Recalling the relevant provisions contained in the instruments of international humanitarian law relative to the protection of the civilian population as such,

Reaffirming the Beijing Declaration and Platform for Action,[9] as well as the outcome documents of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century",[10] and the outcome document of the special session of the General Assembly on children, entitled "A world fit for children",[11] including the provisions therein regarding violence against women and children, and welcoming the ten-year review and appraisal of the Beijing Declaration and Platform for Action at the forty-ninth session of the Commission on the Status of Women and General Assembly decision 64/530 on the commemoration of the fifteenth anniversary of the adoption of the Beijing Declaration and Platform for Action,

Recalling General Assembly resolution 57/337 of 3 July 2003 on the prevention of armed conflict, and Security Council resolutions 1325 (2000) of 31 October 2000, 1820 (2008) of 19 June 2008, 1888 (2009) of 30 September 2009, 1889 (2009) of 5 October 2009 and 1960 (2010) of 16 December 2010 on women, peace and security, as well as its resolutions 1314 (2000) of 11 August 2000, 1379 (2001) of 20 November 2001, 1460 (2003) of 30 January 2003, 1539 (2004) of 22 April 2004, 1612 (2005) of 26 July 2005, 1882 (2009) of 4 August 2009 and 1998 (2011) of 12 July 2011 on children and armed conflict,

Expressing grave concern at the continuation of armed conflicts in many regions throughout the world and the human suffering and humanitarian emergencies they cause,

Noting that women and children taken hostage, including those subsequently imprisoned, in armed conflicts, whether international or non-international, are victims of serious violations of international law, including international humanitarian law and human rights law, that continue to have a negative impact on efforts to put an end to those conflicts and cause suffering to the families of those women and children, and stressing, in this regard, the need to address the issue from a humanitarian perspective, among others,

Emphasizing that all forms of violence in areas of armed conflict committed against the civilian population as such, including taking women and children

[9] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[10] General Assembly resolution S-23/2, annex, and resolution S-23/3, annex.

[11] General Assembly resolution S-27/2, annex.

hostage, seriously contravene international humanitarian law, in particular as set out in the Geneva Conventions of 12 August 1949,

Being cognizant that States that are parties to an armed conflict have a responsibility not to take hostage and subsequently imprison women and children in armed conflict and to ensure accountability as regards implementation of relevant mechanisms, policies and laws in order to protect them, bearing in mind that all parties to the conflict must refrain from hostage-taking,

Concerned that, despite the efforts of the international community, acts of hostage-taking in different forms and manifestations, inter alia, those committed by terrorists and armed groups, continue to take place and have even increased in many regions of the world,

Recognizing that hostage-taking calls for resolute, firm and concerted efforts on the part of the international community, in conformity with international humanitarian law and in accordance with international human rights standards, in order to bring such abhorrent practices to an end,

Expressing its strong belief that the rapid and unconditional release of women and children taken hostage in areas of armed conflict will promote the implementation of the noble goals enshrined in the Beijing Declaration and Platform for Action, as well as the outcome documents of the twenty-third special session of the General Assembly and the outcome document of the special session of the General Assembly on children, entitled "A world fit for children", including the provisions therein regarding violence against women and children,

1. *Reaffirms* that hostage-taking, wherever and by whomever committed, is an illegal act aimed at the destruction of human rights and is, under any circumstances, unjustifiable;

2. *Condemns* all violent acts committed against the civilian population as such, in violation of international humanitarian law in situations of armed conflict, and calls for an effective response to such acts, in particular the immediate release of women and children taken hostage, including those subsequently imprisoned, in armed conflicts, including by strengthening international cooperation in this field;

3. *Also condemns* the consequences of hostage-taking, in particular torture and other cruel, inhuman or degrading treatment or punishment, murder, rape, slavery and trafficking in women and children;

4. *Urges* States that are parties to an armed conflict to take all necessary measures, in a timely manner, to determine the identity, fate and whereabouts of women and children taken hostage, including those subsequently imprisoned, in armed conflicts, and, to the greatest possible extent, to provide their family members, through appropriate channels, with all relevant information they have on their fate and whereabouts;

5. *Invites*, in this regard, States to adopt a comprehensive approach, including all appropriate legal and practical measures and coordination mechanisms;

6. *Recognizes* the need for the collection, protection and management of information on women and children taken hostage, including those subsequently imprisoned, in armed conflicts, according to international and national legal norms and standards, and urges States to cooperate with each other and with other

appropriate actors working in this area, inter alia, by providing all relevant and appropriate information;

7. *Strongly urges* all parties to armed conflicts to respect fully the norms of international humanitarian law and to take all necessary measures for the protection of the civilian population as such, including measures to prevent and combat acts of hostage-taking;

8. *Urges* all parties to armed conflicts to provide safe, unimpeded access to humanitarian assistance for those women and children, in accordance with international humanitarian law;

9. *Also urges* all parties to an armed conflict to cooperate fully with the International Committee of the Red Cross in establishing the fate and whereabouts of women and children taken hostage, including those subsequently imprisoned;

10. *Stresses* both the need to put an end to impunity and the responsibility of all States to prosecute or bring to justice in accordance with international law those responsible for war crimes, including hostage-taking;

11. *Also stresses* the need for addressing the issue of release of women and children taken hostage, including those subsequently imprisoned, in armed conflicts, also as a part of peace processes, with reference to all justice and rule of law mechanisms, on the basis of transparency, accountability and public involvement and participation;

12. *Emphasizes* the importance of objective, responsible and impartial information, including improved analysis and dissemination of sex- and age-disaggregated data, on hostages, verifiable by relevant international organizations, in facilitating their release, and calls for assistance to those organizations in this regard;

13. *Requests* the Secretary-General to ensure, in the context of the present resolution, the widest possible dissemination of relevant material, in particular material relating to Security Council resolution 1325 (2000), within existing resources;

14. *Also requests* the Secretary-General and all relevant international organizations to use their capabilities and undertake efforts to facilitate the immediate release of civilian women and children who have been taken hostage, including those subsequently imprisoned;

15. *Invites* the special rapporteurs, within their respective mandates, as well as the Special Representative of the Secretary-General on Children and Armed Conflict and the Special Representative of the Secretary-General on Sexual Violence in Conflict, to continue to address the issue of women and children taken hostage, including those subsequently imprisoned, in armed conflicts and its consequences;

16. *Requests* the Secretary-General to submit to the Commission on the Status of Women at its fifty-eighth session a report on the implementation of the present resolution, including relevant practical recommendations, taking into account the information provided by States and relevant international organizations;

17. *Decides* to consider the question at its fifty-eighth session.